UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/828,856	04/10/2001	Hsi-Hsun Huang	320528167US	6956

25096   7590   11/05/2008
PERKINS COIE LLP
PATENT-SEA
P.O. BOX 1247
SEATTLE, WA 98111-1247

EXAMINER
VO, QUANG N

ART UNIT	PAPER NUMBER
2625	

MAIL DATE	DELIVERY MODE
11/05/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 September 2008*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 3-45* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1 and 3-45* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

09/15/2008 has been entered.

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot

in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3, 4, 9-14, 17, 19-23, 25-36, 38-40 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Cantwell (US 6,594,690) in view of Tomat (US 6,459,499).

With regard to claim 1, Cantwell discloses a server for a network, the server

configured to enable a user at a station (e.g., computer 4, figure 1) to scan a document

at a scanner (e.g., scanner 10, figure 1) to obtain scanning data, the server (e.g., server

6, figure 1) comprising: a database of scanner drivers (e.g., device drivers stored at

website at intranet server or internet server; Col 2 Lines 9-14); a driver selection system

to enable the user to select a driver for the scanner from the database of scanner

drivers in response to one or more inputs provided to a browser hosted at computer

(e.g., a user operates a browser on computer to browse to the website where the device

driver is located, column 2, lines 29-34), one or more inputs received at server over a

data transmission network (computer communicates with server through connection,

Col 2 Lines 3-8; user selects driver Col 3 Lines 3-7); and a delivery system to transfer

selected driver to station (driver downloaded by website and installed on computer; Col

3 Lines 8-12).

Cantwell differs from claim 1, in that he does not explicitly teach to enable user

to select a location from browser for saving scanning data, location being selected from

locations including locations other than station.

Tomat discloses to enable user to select a location from browser (e.g., user

interface for user to enter profile information and image to send, figures 6-9) for saving

scanning data (e.g., in step S1107, an image file that results from scanning the

document is stored as a temporary image file. This temporary image file preferably is

stored at the location specified by the selected user profile, column 13, lines 26-30.

Note: user profile must enter by a user), location being selected from locations including

locations other than computer (e.g., computer system 2 is capable of sending data such

as image files to computer systems and/or other devices that are physically remote from

computer system 2, figure 2, column 4, lines 40-42).

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to have modified Cantwell to include a destination selection system to

enable user to select a location from browser for saving scanning data, location being selected from locations including locations other than station as taught by Tomat. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Cantwell by the teaching of Tomat to conveniently access or retrieve information from browser.

For claim 3, which is representative of Claim 22, Cantwell teaches wherein the predetermined location comprises a universal resource locator (URL) (Col 2 Lines 21-28).

Considering claim 4, Cantwell discloses wherein the location specifies a media to be used to save the scanning data (Col 2 Lines 15-20).

For claim 9, Cantwell teaches wherein the selected driver is transferred to the station in a self-extracting file (Col 2 Lines 45-53).

For claim 10, Cantwell discloses wherein the driver is configured to be removed from the computer after the scanning data is saved in location (Col 3 Lines 13-18).

For claim 11, Cantwell teaches wherein the server further comprises a network connection configure to transmit information between data transmission network and at least one of driver selection system and/or delivery system (Col 3 Lines 13-18).

With regard to claim 12, the subject matter is similar to claim 1. Therefore claim 12 is rejected as set forth above for claim 1.

Considering claim 13, Cantwell teaches wherein server is further configured to populate a menu viewable at computer on web browser identifying two or more of plurality of scanner drivers (Col 1 Lines 34-44).

Regarding claim 14, which is representative of claim 19, Cantwell teaches wherein server is configured to render menu according to a hypertext transfer protocol (Col 2 Lines 20-34).

Referring to claim 17:

Claim 17 is the method claim corresponding to operation of the device in claim 1 with method steps corresponding directly to the function of device elements in claim 1. Therefore claim 17 is rejected as set forth above for claim 1.

Considering claim 20, Cantwell teaches wherein enabling selection of at least one of scanner drivers in response to received information comprises receiving inputs from a menu rendered on web browser (Col 2 Lines 20-67).

For claim 21, which is representative of claim 23 Cantwell teaches wherein location comprised an electronic mail (e-mail) address (Col 2 Lines 21-28).

With regard to claim 25, Tomat discloses wherein destination selection system is further configured to: insert a destination address of the selected location for saving scanning data in the self-extracting executable file prior to the transferring (e.g., block 133, figures 6-9).

With regard to claim 26, Tomat discloses wherein the selected driver, when executed by the computer, is configured to: poll the server to obtain a destination address of the selected location for saving scanning data (e.g., block 133 address for storing scanning data, figure 6).

With regard to claim 27, Cantwell teaches wherein the selected driver is transmitted to computer as a self-extracting executable file (Col 2 Lines 45-53).

With regard to claim 28, Tomat discloses wherein destination selection system is further configured to: insert a destination address of the selected location for storing scanning data in the self-extracting executable file prior to the transferring (e.g., block 133 address for storing scanning data, figures 6-7).

With regard to claim 29, Tomat discloses wherein the transmitted driver is further configured to: poll the server to obtain a destination address of the location for storing scanning data (e.g., block 133 address for storing scanning data, figure 6).

With regard to claim 30, Tomat discloses further comprising: inserting a destination address of the selected location for saving scanning data in a self-extracting executable file prior to transmitting (e.g., block 133, figures 6-9).

Regarding claim 31, Tomat discloses further comprises: polling the server to obtain a destination address of the selected location for saving scanning data (e.g., block 133 address for storing scanning data, figure 6).

With regard to claim 32, Cantwell discloses wherein selected driver is transferred to station over a file transfer protocol connection (e.g., the device drivers may have previously been retrieved from internet server 16 or any other means, column 2, lines 9-13).

With regard to claim 33, Tomat discloses wherein destination selection system enables user to select a location from browser by indicating the location in a text box provided by browser (e.g., block 133, figures 6-9).

Referring to claim 34:

Claim 34 is the method claim corresponding to operation of the device in claim

32 with method steps corresponding directly to the function of device elements in claim

32. Therefore claim 34 is rejected as set forth above for claim 32.

Referring to claim 35:

Claim 35 is the method claim corresponding to operation of the device in claim

33 with method steps corresponding directly to the function of device elements in

claim33. Therefore claim 35 is rejected as set forth above for claim 33.

With regard to claim 36, Cantwell discloses a server configured to enable a user

at a remote station to scan a document at a scanner to obtain scanning data, the server

comprising: means for storing multiple scanner drivers (device drivers stored at website

at intranet server or internet server; Col 2 Lines 9-14); means for enabling the user to

select a driver for the scanner from the means for storing in response to one or more

inputs provided to a browser hosted at the remote station (e.g., a user operates a

browser on computer to browse to the website where the device driver is located,

column 2, lines 14-20), wherein the server receives the one or more inputs over a data

transmission network (computer communicates with server through connection, Col 2

Lines 3-8; user selects driver, Col 3 Lines 3-7); and means for transferring the selected

driver to the remote computer (driver downloaded by website and installed on computer;

Col 3 Lines 8-12).

Cantwell differs from claim 36, in that he does not explicitly show means for

enabling the user to select a location from the browser for saving the scanning data,

wherein the user selects the location from multiple locations including locations other than the remote station.

Tomat discloses means for discloses to enable user to select a location from browser (e.g., user interface for user to enter profile information and image to send, figures 6-9) for saving scanning data (e.g., in step S1107, an image file that results from scanning the document is stored as a temporary image file. This temporary image file preferably is stored at the location specified by the selected user profile, column 13, lines 26-30. Note: user profile must enter by a user), location being selected from locations including locations other than remote station (e.g., computer system 2 is capable of sending data such as image files to computer systems and/or other devices that are physically remote from computer system 2, figure 2, column 4, lines 40-42).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Cantwell to include a destination selection system to enable user to select a location from browser for saving scanning data, location being selected from locations including locations other than remote station as taught by Tomat. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Cantwell by the teaching of Tomat to give access to other device connected to network.

With regard to claim 38, Cantwell discloses further comprising means for installing the selected driver at the remote station (column 2, lines 45-53).

With regard to claim 39, Tomat discloses further comprising means for storing scanning data of the user ((e.g., in step S1107, an image file that results from scanning

the document is stored as a temporary image file. This temporary image file preferably

is stored at the location specified by the selected user profile, column 13, lines 26-30).

With regard to claim 40, Tomat discloses further comprising means for enabling

the user to view the stored scanning data (e.g., computer system 2 preferably includes

display 10 for outputting images, column 4, lines 25-31).

Claims 5-8,15,16,18 and 37 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Cantwell (US6,594,690) and Shima (US 2002/0004802) and further

in view of House et al. (House) (US 6,785,805).

For claim 5, which is representative of claim 18, Cantwell and Shima disclose the

server as described above. Cantwell and Shima do not disclose expressly a login

system configured to enable user to access driver selection system following

establishing an identity of the user.

House discloses a login system configured to enable user to access driver

selection system following establishing an identity of the user (Col 29 Lines 13-22).

Cantwell, Shima & House are combinable because they are from the same field

of endeavor, network driver devices.

At the time of the invention, it would have been obvious to a person of ordinary

skill in the art to combine House with Cantwell and Shima by incorporating a login

system in the server.

The suggestion/motivation for doing so would have been to provide personalized

user information, so that only authorized users are able to gain access to the server,

and thus maintaining the security of the system.

Therefore, it would have been obvious to combine House with Cantwell and Shima to obtain the invention as specified in claim 5.

For claim 6, House teaches wherein the login system is configured to correlate the identity of the user with an account on the server, and wherein the scanning data is saved in association with the account (Col 29 Lines 23-42).

For claim 7, it would be inherent for the account to comprise an email account.

For claim 8, House teaches a viewing system for enabling the user to view the scanning data saved in the account (Col 11 Lines 56-67; Ref 100).

Regarding claim 15, House teaches wherein server further comprises a login system that enables computer to access driver selection system in response to authentication of user (Col 29 Lines 13-22).

For claim 16, Cantwell discloses wherein server is configured to store one or more cookies on computer in response to authentication (Col 2 Lines 40-67).

With regard to claim 37, Houses discloses further comprising means for authenticating the user (Col 29 Lines 13-22).

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cantwell (US6, 594,690) in view of Shima (US 2002/0004802) and further in view of Schneider et al (US 5,587,533).

Cantwell and Shima disclose the server as discussed above.

Cantwell and Shima do not disclose expressly wherein destination selection system is further configured to determine whether user has write permission associated

with location; and warn user if location is not a valid destination for storing scanning

data.

Schneider discloses scanned data that is stored under a user defined file name

and the user is queried if the scanned dated is to be saved or not (Col 23 Lines 31-44).

Cantwell, Shima & Schneider are combinable because they are from the same

field of endeavor, scanning objects.

At the time of the invention, it would have been obvious to a person of ordinary

skill in the art to combine Schneider with Cantwell and Shima. "

The suggestion/motivation for doing so would have been to provide a warning

system for the user. Therefore, it would have been obvious to combine Schneider with

Cantwell and Shima to obtain the invention as specified in claim 24.

Claims 41-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Hall et al. (Hall) (US 20020112184) in view of Cantwell (US 6,594,690).

Regarding claim 41, Matsuda discloses a computer-implemented method (e.g.,

computer network, figure 1) for scanning an original (e.g., scanners at different remote

locations for scanning an image, figure 1), the method comprising: receiving at a first

computer (e.g., the local image processing apparatus (first computer), figure 1, column

13, lines 8-10) a request for authentication (e.g., the user tries to open a box for which a

password is set on the window in FIG. 14, a password confirmation window (not shown)

is displayed. If the correct password is input, the window switches to the box document

display window in FIG. 15, column 13, lines 63-67. Note: the user from host computer

10 try to access image files from memory boxes in HDD 2004 and a password

confirmation window displayed from the local image processing apparatus to

authenticating the user at computer host) from a second computer (e.g., a host

computer 10) coupled to a scanner (e.g., scanner, figure 1); authenticating the second

computer (e.g., the user tries to open a box for which a password is set on the window

in FIG. 14, a password confirmation window (not shown) is displayed. If the correct

password is input, the window switches to the box document display window in FIG. 15,

column 13, lines 63-67); receiving a selection of a location for storing scanning data

from the second computer, wherein the location is selected from locations including

locations other than the second computer (e.g., the user can also designate the

operation of storing a scanned image or PDL data sent from a Web client in a box. In

addition, a stored document can be transmitted by FAX or E-mail, moved to another

box, or printed out in accordance with an instruction from the user, column 12, lines 50-

55).

Matsuda differs from claim 45 in that he does not explicitly disclose wherein the

second computer does not have a driver for the scanner; determining one or more

scanner drivers, wherein at least one of the scanner drivers may be used by the second

computer to operate the scanner; providing an indication of the one or more scanner

drivers to the second computer; receiving a selection of a scanner driver from the

second computer; and providing the selected scanner driver to the second computer.

Cantwell discloses wherein the second computer does not have a driver for the

scanner; determining one or more scanner drivers, wherein at least one of the scanner

drivers may be used by the second computer to operate the scanner (e.g., a user

operates a browser on computer to browse to the website where the device driver is

located, column 2, lines 29-34); providing an indication of the one or more scanner

drivers to the second computer (e.g., device drivers stored at website at intranet server

or internet server; Col 2 Lines 9-14); receiving a selection of a scanner driver from the

second computer; and providing the selected scanner driver to the second computer

(e.g., driver downloaded by website and installed on computer; Col 3 Lines 8-12).

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to have modified Matsuda to include wherein the second computer does

not have a driver for the scanner; determining one or more scanner drivers, wherein at

least one of the scanner drivers may be used by the second computer to operate the

scanner; providing an indication of the one or more scanner drivers to the second

computer; receiving a selection of a scanner driver from the second computer; and

providing the selected scanner driver to the second computer as taught by Cantwell. It

would have been obvious to one of ordinary skill in the art at the time of the invention to

have modified Matsuda by the teaching of Cantwell to conveniently access or retrieve

information from different computer on network.

Regarding to claim 42, Cantwell discloses wherein providing the selected

scanner driver to the second computer includes providing the selected scanner driver as

a self-extracting file to the second computer, and further comprising providing the

selected location to the second computer in the self-extracting file (Col 2 Lines 45-53).

Regarding claim 43, Matsuda discloses wherein receiving a selection of a location for storing scanning data from the second computer (e.g., the user can also designate the operation of storing a scanned image or PDL data sent from a Web client in a box. In addition, a stored document can be transmitted by FAX or E-mail, moved to another box, or printed out in accordance with an instruction from the user, column 12, lines 50-55) includes receiving a selection of a location to which the first computer is coupled (e.g., in addition, since an image stored in the image processing apparatus can be transmitted as an image file from the image processing apparatus to the host computer, and the user can browse and operate this file through the Web browser on the host computer, the user can easily perform remote control, column 17, lines 11-15), and wherein the method further comprises: receiving a request to view stored scanning data from the second computer (e.g., the user can browse and operate this file through the Web browser on the host computer, column 17, lines 13-15); accessing the location to which the first computer is coupled (e.g., the image processing apparatus, column 17, line 7); retrieving the stored scanning data; and providing the stored scanning data to the second computer (e.g., the user can browse and operate this file through the Web browser on the host computer, column 17, lines 13-15).

Regarding claim 44, Matsuda discloses further comprising: determining whether the second computer has permissions necessary to store scanning data at the location; and providing a warning to the second computer if the second computer does not have permissions necessary to store scanning data at the location (e.g., the user tries to open a box for which a password is set on the window in FIG. 14, a password

confirmation window (not shown) is displayed. If the correct password is input, the

window switches to the box document display window in FIG. 15; otherwise, the

contents of this box cannot be seen, column 13, lines 63-67. Note: the user from host

computer 10 try to access image files from memory boxes in HDD 2004 and a password

confirmation window displayed from the local image processing apparatus to

authenticating the user at computer host for accessing, otherwise the window will not be

seen to let user know that the access denied).

Regarding claim 45, Matsuda discloses wherein the location is selected from at

least one of a storage medium (e.g., an area in an HDD 2004 (a storage medium) in

which image data are to be stored is divided into a plurality of areas in advance, which

will be referred to as boxes, column 12, lines 40-42), an email address and a Uniform

Resource Locator (URL) (e.g., a stored document can be transmitted by FAX or E-mail,

moved to another box, or printed out in accordance with an instruction from the user,

Column 12, lines 52-55).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Quang N. Vo whose telephone number is (571)270-

1121. The examiner can normally be reached on 7:30AM-5:00PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David K. Moore can be reached on (571)272-7437. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Q. N. V./
Examiner, Art Unit 2625

/David K Moore/
Supervisory Patent Examiner, Art Unit 2625